

Jorgensen, Jay T.

From: David Page [dpage@riggsabney.com]
Sent: Monday, February 04, 2008 12:09 PM
To: Jorgensen, Jay T.
Cc: lbullock@mkblaw.net; lward@motleyrice.com; Kelly.Burch@oag.ok.gov; David Riggs; Bob Nance; Richard Garren; Daniel.Lennington@oag.ok.gov; trevor.hammons@oag.ok.gov
Subject: RE: Withheld email from the Plaintiff's experts

Hello jay. I have been in depositions almost continuously since you were in town.

Let me look into this and get back to you later today.

Sorry for the inconvenience. David.

David P. Page
Riggs, Abney, Neal, Turpen, Orbison & Lewis, Inc.
502 W. 6th Street
Tulsa, OK 74119-1010
918-587-3161
918-583-1549 (fax)
dpage@riggsabney.com

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-----Original Message-----

From: Jorgensen, Jay T. [mailto:jjjorgensen@sidley.com]
Sent: Sunday, February 03, 2008 7:09 PM
To: David Page
Cc: lbullock@mkblaw.net; lward@motleyrice.com; Kelly.Burch@oag.ok.gov; David Riggs; Bob Nance; Richard Garren; Daniel.Lennington@oag.ok.gov; trevor.hammons@oag.ok.gov
Subject: RE: Withheld email from the Plaintiff's experts

David,

I haven't received a response to this email. Would you let me know your plans?

-----Original Message-----

From: Jorgensen, Jay T.
Sent: Thursday, January 31, 2008 6:50 PM
To: David Page
Cc: lbullock@mkblaw.net; lward@motleyrice.com; Kelly.Burch@oag.ok.gov; David Riggs; Bob Nance; Richard Garren; Daniel.Lennington@oag.ok.gov; trevor.hammons@oag.ok.gov
Subject: Withheld email from the Plaintiff's experts

David,

In the Harwood deposition we both attended on Tuesday, Dr. Harwood testified that she frequently communicated with Plaintiff's experts and lawyers via email over the last several years and that this email

correspondence was a principal source of her information about this case. She testified that she preserved her email so that it could be produced to defendants and that she sent it all to Motley Rice. We showed her the small handful of emails that we have received from the Plaintiff's lawyers, and she confirmed that this was only a small subset of the email she sent to Motley Rice for production.

Would you send defendants all of Dr. Harwood's email immediately?

Also, I note that Defendants have received very little email for your other experts. Yet Dr. Harwood testified that she communicated with them frequently, and often by email. Please produce the email Plaintiff has withheld on its other experts, as well.

In making these requests for the late production of these missing emails, Defendants are not waiving their right to bring this matter to the Court's attention and ask for an appropriate sanction.

Sincerely,

Jay

Jay T. Jorgensen | Sidley Austin LLP
1501 K St NW, Washington D.C. 20005 | 202.736.802

Sidley Austin LLP mail server made the following annotations on
02/03/08, 19:05:35:

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